

Message Text

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ACTION EB-08

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00

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SSO-00 PA-01 PRS-01 USIE-00 OES-07 NASA-01 L-03

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FM AMEMBASSY PARIS

TO SECSTATE WASHDC IMMEDIATE 6639

INFO RUEBJGA DOT WASHDC IMMEDIATE

FAA WASHDC IMMEDIATE

AMEMBASSY LONDON

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EO 11652: N/A

TAGS: EAIR, FR, UK, US

SUBJECT: CIVAIR: CONCORDE

1. SUMMARY-AP STORY REPORTING PORT AUTHORITY LETTER REQUESTING NASA ESTABLISH VIBRATION/RATTLE INDEX FOR LOW FREQUENCY SOUND GENERATED BY CONCORDE PROMPTS US TO MAKE TWO OBSERVATIONS RE PORT AUTHORITY'S MARCH 11 RESOLUTION WHICH PLACE IN QUESTION THIS LATEST MANEUVER BY PORT AUTHORITY. WE FURTHER RECALL PRIVATE ADMISSION BY PORT AUTHORITY OFFICIAL TANTAMOUNT TO CONFIRMATION CONCORDE COULD MEET 112 PNDB RULE, WHICH EXPLAINS WHY PORT AUTHORITY IS NOW SO DILIGENT IN ERECTING NEW VIBRATION/RATTLE OBSTACLE. IF ABOVE FACTS WERE NOT BROUGHT OUT IN LAWSUIT AND IT IS TOO LATE FOR USG TO INTERVENE AS FRIEND OF THE COURT, PERHAPS THESE POINTS COULD BE MADE IN RESPONSE TO PORT AUTHORITY LETTER THAT COULD IN TURN PROMPTLY BE MADE PUBLIC. END SUMMARY

2. BRIEF STORY BY AP APPEARING IN AUG. 4 ISSUE OF INTER-LIMITED OFFICIAL USE

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NATIONAL HERALD TRIBUNE REPROTS THAT NEW YORK PORT AUTHORITY RELEASED ON AUG. 3 A LETTER IS HAD SENT END OF LAST WEEK REQUESTING THAT NASA ESTABLISH AN INDEX TO MEASURE LOW FREQUENCY VIBRATIONS OF THE KIND GENERATED BY CONCORDE'S ENGINES. PORT AUTHORITY SPOKESMAN IS REPROTED AS SAYING THAT PROBLEM WAS THAT THIS KIND OF VIBRATION WAS FELT AS MUCH AS IT WAS HEARD, WHICH WAS ONE REASON WHY

PORT AUTHORITY HAD CONTINUED ITS BAN ON CONCORDE SERVICE TO JFK

3. ABOVE REPORT CALLS FOR TWO OBSERVATIONS ON OUR PART, BOTH STEMMING FROM THE TERMS OF THE PORT AUTHORITY RESOLUTION OF MARCH 11, 1976 INSTITUTING THE "TEMPORARY" BAN ON CONCORDE. FIRST, THE RESOLUTION STIPULATED INTER ALIA THAT THE PORT AUTHORITY DIRECTOR OF AVIATION WAS DIRECTED "IF NECESSARY" TO REQUEST THE FAA TO MODIFY ITS NOISE MONITORING PROGRAM AT DULLES"OR OTHERWISE TO SECURE ADDITIONAL INFORMATION CONCERNING THE CONCORDE'S NOISE AND OTHER ENVIRONMENTAL CHARACTERISTICS". THE MINUTES OF THE MARCH 11 MEETING RECORD THAT THE EXECUTIVE DIRECTOR OF THE PORT AUTHORITY, IN BRIEFING THE COMMISSIONERS PRIOR TO THEIR ADOPTION OF THE RESOLUTION, PLACED SPECIAL STRESS ON THE QUESTION OF CONCORDE'S "LOW FREQUENCY NOISE AND VIBRATIONS".. (COMMENT: WE ARE UNAWARE OF ANY REQUEST SUBSEQUENTLY ADDRESSED TO FAA BY THE PORT AUTHORITY FOR MODIFICATION OF THE DULLES PROGRAM FOR MONITORING OF CONCORDE NOISE OR ANY REQUEST FOR "ADDITIONAL INFORMATION" FROM FAA ON, FOR EXAMPLE, THE LOW FREQUENCY NOISE AND RELATED VIBRATIONS THAT MIGHT BE GENERATED BY CONCORDE. IN SUM, THE PORT AUTHORITY DID NOT AVAIL ITSELF OF THE SPECIFIC OPPORTUNITY IT HAD ITSELF ANTICIPATED TO OBTAIN FROM FAA" ADDITIONAL INFORMATION" IT NOW CLAIMS IT NEEDS, WHICH FURTHER SUG- LIMITED OFFICIAL USE

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GESTS THE INFORMATION IS NOT REALLY NEEDED AND THE PRESENT REQUEST IS BUT A TRANSPARENT STALLING EXPEDIENT).

4. SECOND , THE MARCH 11 RESOLUTION DIRECTED THAT CONCORDE FLIGHTS AND COMMUNITY REACTION THERETO BE ANALYZED FOR A PERIOD OF SIX MONTHS NOT ONLY AT DULLES BUT ALSO AT HEATHROW AND CDG AIRPORTS. THE PORT AUTHORITY'S DIRECTOR OF AVIATION AND THE STANFORD RESEARCH INSTITUTE CONSULTANT RETAINED FOR THE PURPOSE WERE IN PARIS IN MAY 1976 TO CONDUCT THE ANALYSIS FOR CDG AIRPORT IN COMPLIANCE WITH THE MARCH 11 RESOLUTION. THE DIRECTOR OF AVIATION INFORMED US THAT HE COULD NOT BE CONTENT WITH GOF DATA ON CONCORDE NOISE ON TAKEOFF AND LANDING AT CDG: HE INTERPRETED HIS MANDATE AS MEANING THAT HE (HIS CONSULTANT) HAD TO TAKE HIS OWN READINGS, WITH PARTICULAR EMPHASIS ON RECORDINGS TAKEN INSIDE HOMES AND OTHER STRUCTURES BENEATH AND NEAR CONCORDE'S FLIGHT PATH AT CDG IN ORDER TO OBTAIN READINGS OF CONCORDE NOISE AS IT WAS ACTUALLY HEARD IN THESE DIFFERENT LOCATIONS UNDER VARYING CONDITIONS. THIS, HE SAID, WOULD BE MUCH MORE MEANINGFUL THAN RAW STATISTICS MERELY SHOWING DECI-

BEL LEVELS.

5. PROBLEMS IMMEDIATELY DEVELOPED WITH THE FRENCH, WHO RESENTED INTRUSION OF THE PORT AUTHORITY ON FRENCH HOME TERRITORY, ALL THE MORE SO SINCE THEY HAD BECOME EMBROTTLED IN A LAW SUIT WITH THE PORT AUTHORITY AS A RESULT OF THE CONCORDE BAN INSTITUTED BY THE MARCH 11 RESOLUTION; AND THE FRENCH ALSO RESENTED THAT THE PORT AUTHORITY WOULD NOT ACCEPT CONCORDE NOISE DATA FROM THE SOPHISTICATED MONITORING SYSTEM IN PLACE AT CDG AIRPORT (WHICH, INCIDENTALLY, HAS BEEN INSPECTED BY FAA TECHNICIANS WHO GIVE THE SYSTEM HIGH MARKS). FRENCH OBJECTIONS IN TURN THREATENED THE SUCCESS OF THE PORT AUTHORITY'S PROGRAMS FOR MAKING READINGS AT HEATHROW, WITH THE RESULT THAT LIMITED OFFICIAL USE

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THE PORT AUTHORITY'S DIRECTOR OF AVIATION THREATENED TO RETURN TO NEW YORK TO REPORT THAT THE FRENCH (AND THE BRITISH) WOULD NOT COOPERATE, MEANING, INsofar AS HE WAS CONCERNED, THAT NON-COMPLIANCE WITH THE MARCH 11 RESOLUTION WOULD AUTOMATICALLY RESULT IN THE CONCORDE BAN BECOMING PERMANENT. THANKS LARGELY TO THE EMBASSY'S EFFORTS AT MEDIATION AND TO THE FORTUNATE PRESENCE IN PARIS AT THE TIME OF FAA ADMINISTRATOR MCLUCAS, FRENCH COOPERATION WAS FINALLY SECURED (76 PARIS 15800). THE PORT AUTHORITY CONSULTANT WAS PERMITTED TO TAKE ALL THE NOISE READINGS HE WISHED, WITH HIS STAFF AND HIS EQUIPMENT, AT CDG (AS WELL AS AT HEATHROW). THE PORT AUTHORITY'S DIRECTOR OF AVIATION, IN LATER EXPRESSING HIS THANKS TO THE EMBASSY FOR ITS HELP, INDICATED THAT THE FRENCH HAD INDEED COOPERATED FULLY AND THAT ALL DESIRED READINGS HAD BEEN OBTAINED.

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SP-02 NSC-05 NSCE-00 SS-15 /067 W

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O R 041630Z AUG 77
FM AMEMBASSY PARIS
TO SECSTATE WASHDC IMMEDIATE 6640
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COMMENT: IT IS EVIDENT FROM THE FOREGOING THAT THE PORT AUTHORITY HAD THE OPPORTUNITY TO OBTAIN, AND PRESUMABLY DID OBTAIN, IN MID-1976 MUCH OF THE DATA IT NOW CLAIMS TO LACK. THE WHOLE PURPOSE OF PORT AUTHORITY INSISTENCE ON TAKING NOISE READINGS INSIDE HOMES AND OTHER STRUCTURES AROUND CDG WAS OBVIOUSLY TO MEASURE MAINLY THE PROPAGATION OF THE LOW FREQUENCY ENERGY IN CONCORDE NOISE. THE LEVEL OF "INDUCED VIBRATIONS" WAS ALSO PRESUMABLY NOTED AT THE SAME TIME.

6. WHILE WE ARE ON THE SUBJECT OF PORT AUTHORITY BAD FAITH, WE MIGHT ALSO NOTE EARLIER MENTION IN WIRE SERVICE STORIES OF THE PORT AUTHORITY'S ADMISSION IN DISTRICT COURT ON JULY 12 THAT IT WAS CONCEIVABLE THAT CONCORDE COULD OPERATE INTO JFK UNDER THE 112 PNDB LIMIT. FOLLOWING FRENCH AND BRITISH SUBMISSION LAST MARCH OF THEIR PROPOSALS FOR NEW OPERATIONAL PROCEDURES FOR CONCORDE LANDINGS AND TAKEOFFS AT JFK, WE LEARNED THAT A PORT AUTHORITY OFFICIAL, PRIOR TO THE JULY 7 DECISION OF THE PORT AUTHORITY, HAD PRIVATELY LIMITED OFFICIAL USE

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ADMITTED THAT THESE PROPOSALS HAD "CONSIDERABLY SHRUNKEN" CONCORDE'S NOISE FOOTPRINT AND AS A RESULT WOULD DRASTICALLY REDUCE THE NOISE IMPACT ON SURROUNDING COMMUNITIES. WE INTERPRETED THIS TO MEAN THAT THERE WAS NOW NO LONGER ANY QUESTION IN THE PORT AUTHORITY'S MIND THAT CONCORDE COULD MEET THE EXISTING NOISE STANDARD AT JFK. THE PORT AUTHORITY'S CURRENT EMPHASIS ON NEED TO ESTABLISH A "VIBRATION/RATTLE INDEX" THUS APPEARS TO BE AN EFFORT TO ERECT A NEW OBSTACLE TO BLOCK CONCORDE AFTER CONCORDE OVERCAME, WE ARE CONVINCED, THE PREVIOUS OBSTACLE OF THE 112 PNDB CEILING.

7. COMMENT: IT MAY BE THAT SOME OF THE ABOVE FACTS HAVE BEEN BROUGHT OUT DURING THE HEARINGS BEFORE THE DISTRICT COURT AND THE COURT OF APPEALS, BUT OF THIS WE ARE NOT CERTAIN. SHORT OF INJECTING OURSELVES INTO THE CASE AGAIN AS A FRIEND OF THE COURT, WHICH MAY NOT BE POSSI-

BLE AT THIS LATE DATE WITH JUDGE POLLACK'S DECISION NOW
AWAITED MOMENTARILY, IT WOULD HELP IF SHORT SHRIFT
COULD BE GIVEN TO THE PORT AUTHORITY IN RESPONSE TO ITS
LATEST DILATORY MANEUVER, WHICH WE SUSPECT MAY BE INTEN-
DED TO COMPLICATE THINGS AT THE LAST MINUTE FOR JUDGE
POLLACK OR TO SET THE ATAGE FOR EFFORTS AS DELAY ON
APPEAL. (IF SO, THE PORT AUTHORITY MANEUVER COULD BACK-
FIRE, FOR IF ESTABLISHMENT OF A "VIBRATION/ RATTLE INDEX"
IS SO ESSENTIAL, WHAT BETTER WAS WOULD THERE BE TO AC-
QUIRE THE NEEDED DATA THAN THROUGH A TEST PERIOD FOR
CONDORDE AT JFK?). SINCE THE FACTS CITED IN PARAS 3 THRU
5 ABOVE DIRECTLY INVOLVED THE USG, WE SEE NO REASON WHY
THESE FACTS SHOULD BE NOT BE BROUGHT OUT IN A REPLY TO THE
PORT AUTHORITY'S LETTER WHICH WE MIGHT PROMPTLY MAKE
PUBLIC. IT WOULD BE IN KEEPING WITH OUR POSITION AS
STATED IN THE USG BRIEF SUBMITTED TO THE COURT OF AP-
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PEALS AND WOULD CERTAINLY HELP US IN OUR RELATIONS
WITH THE FRENCH AND THE BRITISH.HARTMAN

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Capture Date: 01-Jan-1994 12:00:00 am
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Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
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